IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.29501 of 2008
MUKESH KUMAR
Versus
THE STATE OF BIHAR
---

2. 5.8.2008 Heard.

The case is under section 392 of the Indian Penal Code and the petitioner is not named in the F.I.R. The petitioner was put on T.I.P. on 2.1.2008 but he was not identified. One witness Arbind Kumar identified the petitioner in the second T.I.P. held on 28.1.2008 and on that ground prayer for bail of the petitioner was dismissed. Besides, the learned Judge has mentioned in his order that two witnesses in paras-9 & 10 claimed identifying the petitioner and that finding is countered by learned counsel for the petitioner by submitting that if at all witnesses had identified the petitioner either during the course of occurrence or while they were running away, the name of the petitioner must have appeared in the F.I.R.

Under the above circumstances and the contention, let petitioner named above be released on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Kotwali P.S. case no.270 of 2007.

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sudip **(Dharnidhar Jha, J)**